

DOUGLAS, CAPITAL OF THE ISLE OF MAN.

HOME RULE IN THE ISLE OF MAN.

BY RICHARD WHEATLEY.

HOME rule does exist, after a fashion, in the Isle of Man. The fashion of the fact, and not the rightfulness of the fact itself, is the bone of contention between Irish Nationalist and British Imperialist, Gladstonian and Churchillian. With their measure of home rule the Manx folk seem to be so far satisfied that whatever modifications may be desired are of form, but not of spirit or principle. It works with them in willing subordination to imperial supremacy. They have no representative vote in Parliament, nor do they crave any. "We want nothing of the House of Lords," remarked a typical Manxman. When his people do want something, they know how to utilize the services of a legitimate lobby, and by means of retained legal agents to lay their requests before "my lords of the Privy Council," and the honorable and distinguished members of either House. Informal are at times quite as useful as formal instrumentalities. Acts of the imperial legislature do not affect Man unless it be specially mentioned in them. Content with dependency on the empire, the Manx largely control all local matters, and leave national and international af-

fairs to the management of the government at Westminster.

Home rule is the desideratum of Hibernian nationalists, the favorite or unwelcome topic of discussion among British subjects and American citizens, the crucial test of statesmanship, the *questio vexata* on whose decision the destinies of Britain, and even of the Greater Britain, may turn. Will the experiences of *Ellan Vannin Veg Veen* (the dear little island) be of any service in the settlement of this great controversy? *Quien sabe?* Anyhow, they are worth considering.

Some American citizens are of Manx antecedents, and indeed of Manx speech. They at least know that the ancestral isle lies in the middle of the Irish Sea, between 54° and 55° north latitude, and 4° and 5° west longitude, and that England, Ireland, Scotland, and Wales may be seen, in clear weather, from the breezy summit of mountainous Snaefell. What further memories of tailless cats and tailless chickens, of samphire pickles and kippered scadden, of *phynnodderee*, *buggane*, and *moddy dhoo* (spirit beings these), of fragrant heather, golden gorse, and blooming fuchsia, they may have, it boots us nothing to



GOVERNOR WALPOLE.

inquire, albeit very interesting. Steamship lines, available by the curious, connect Mona with the sister lands. About 130,000 statute acres, one authority says, or, to be very particular, like the *Encyclopædia Britannica*, 145,325 acres, or about 227 square miles, are embraced within its limits of $33\frac{1}{4}$ by $12\frac{1}{2}$ linear miles. Small bodies are often least accurately known. Only 17° of temperature differentiate the mean annual winter of 42° from the mean annual summer of 59° . Population increased 13,447, or 33.6 per cent., between 1821 and 1881, but decreased 484 between 1871 and 1881. The popular tendency is to residence in towns. Three of these enlarge their numbers, while the rural districts do not mourn over depletion. In the latter the aboriginal language and literature linger. Manx is said by linguists to be a sub-dialect of the ancient Celtic, and a dialect of the Irish branch to which the Scottish Gaelic belongs. Orthographically but not orthoepically different from other varieties of the old Celtic tongue, it is still spoken in the northwest parishes, and in a few localities on the west coast. Not taught in the schools, and rarely used in the churches, it is slowly dying out. Nearly all the natives converse in English.

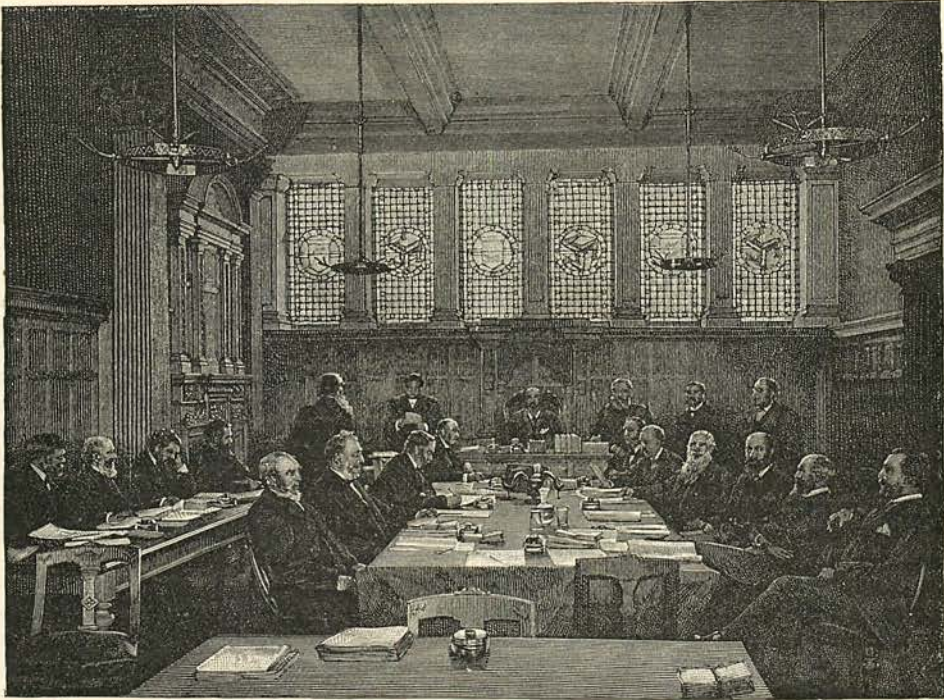
English and Manx have been and still are employed in the discussion of the or-

ganization, history, and working of home rule in the Isle of Man. The ruling body consists of the Lieutenant-Governor, Council, and House of Keys, who together constitute the Manx Legislature, locally known as the Tynwald Court. This meets in the Court-house on Athol Street, Douglas. The government buildings, formerly those of the Mona Bank, a branch of the City of Glasgow Bank, are the handsomest on the island. Douglas is not only the chief town, but is also the seat of government. The latter distinction, until late years, appertained to Castletown, the ancient capital, and residence of the Governor.

His Excellency Spencer Walpole, Governor since April 25, 1882, is appointed by the crown—that pleasant fiction which denotes the imperial government—holds office at its pleasure, and enjoys a salary of £1800 and an official residence. He is a curious exemplification of the union of all governmental functions—the legislative, judicial, and administrative—in his own person. This is all right, so long as it satisfies the governed. Constitutions, when satisfactory, are growths, not mechanisms.

The Council, in addition to the Governor, includes the Right Rev. Rowley Hill, Bishop of Sodor and Man, whose salary is about £2000, and who has an episcopal mansion; Attorney-General Sir James Gill, £1000; Clerk of the Rolls, Alured Dumbell, £1000; First Deemster, Sir W. L. Drinkwater, £1000; Second Deemster, John F. Gill, £1000; the Receiver-General and Water-Bailiff, £230; Archdeacon J. C. Moore, £700, glebe, and residence; and Vicar-General Samuel Harris, £500. Acts of the Governor and Council, to be valid, must be the acts of the Governor and at least two members of the Council. All these comfortably paid officials are appointed by the crown; except the vicar-general, who is appointed by the Bishop, and all hold office at the pleasure of the appointing power. The union of church with state, but not the supremacy of the church over the state, is real in this insular and conservative commonwealth.

The House of Keys is composed of twenty-four members: three for each of the six sheadings, or counties, of Glanfaba, Michael, Ayre, Garff, Middle, and Rushen; one for each of the three towns of Ramsey, Castletown, and Peel, and three



THE HOUSE OF KEYS IN SESSION.

for Douglas. Two government chaplains, salaried at £140 and £100 respectively, pray for them, the other branches of the government, and the adjacent islands. They also expound the doctrine of personal responsibility with as much clearness and force as former legislators, denominated Keys, because so often called upon to unlock or explain the laws and customs to the reigning sovereign or his deputy, expounded the mysteries of an ancient legislation whereof no full authentic records have been preserved. The Keys are elected for seven years; but the Governor may dissolve the House in case of pronounced disagreement with the Council, and then appeal to the country. Property qualification in the shape of insular real estate worth £100 annually, or of similar estate worth £50 and personal estate worth £100 yearly, is required of every member.

Mona moves slowly. Electors must possess property qualification of £10 occupancy or £8 ownership in the sheadings, and of £4 occupancy or ownership in the towns. Spinsters and widows regularly vote on the same terms as the men.

Lodger franchise is similarly conditioned. Party lines are not deeply drawn. The Manx do not acknowledge an inexorable necessity of two or more parties, but in severe simplicity are wont to band themselves in committees for the election of candidates selected in view of general fitness for the work of legislation. Voters are registered yearly, and if not on the lists, are debarred from casting their ballots early, or often, or at all. Council and Keys vote separately; a majority of each must concur to pass a measure, and must also sign all bills to be submitted for the royal assent. All members appointed to serve on committees are bound to do so, and particularly in select cases, in which they are empowered to subpoena witnesses, examine them under oath, and compel the production of documents and records. The Governor presides at all sessions of the Council or Court, is entitled to talk without interruption at any time during a debate, and to choke off an irrelevant or repetitious speaker. He answers questions relative to public affairs, directs Council or Keys to retire to their respective Chambers, and adjourns the Court by

virtue of his prerogative. Strangers may by vote be excluded from any session of the Court except that on the Tynwald Hill. All proceedings are duly recorded, and, as becometh the majesty of so great a realm, every member must sit uncovered, and never fail to make an obeisance to the Governor in passing to or from his seat. Conferences between the two branches of the Legislature may or may not end in harmony, but are held to secure it.

All public petitions to the Tynwald Court are required to be in writing, and if in Manx, to be accompanied by an English translation. The expense of taking evidence, translating into Manx, printing, and distributing is imposed upon the promoters of private bills. If these involve the taking of land, as in the instance of gas or water works, rail or tram ways, the most minute instructions must be followed out to insure equity to all parties concerned, and five per cent. of the estimated cost of such undertaking be deposited by the promoters in the Chancery Division of her Majesty's High Court of Justice of the Isle of Man, subject to the law, or to the action of the Tynwald Court. The fees in connection with any bill do not necessarily amount to more than from £7 to £20.

The business of the Court is printed in a paper of *Agenda*, sent to each member at least three days before the commencement of a session. Notices of motions or of questions, duly given, are entered on the *Agenda*. Unspecified business is considered only by special permission of the Governor. Government affairs take precedence of any other. Rules of debate are similar to those of all free assemblies.

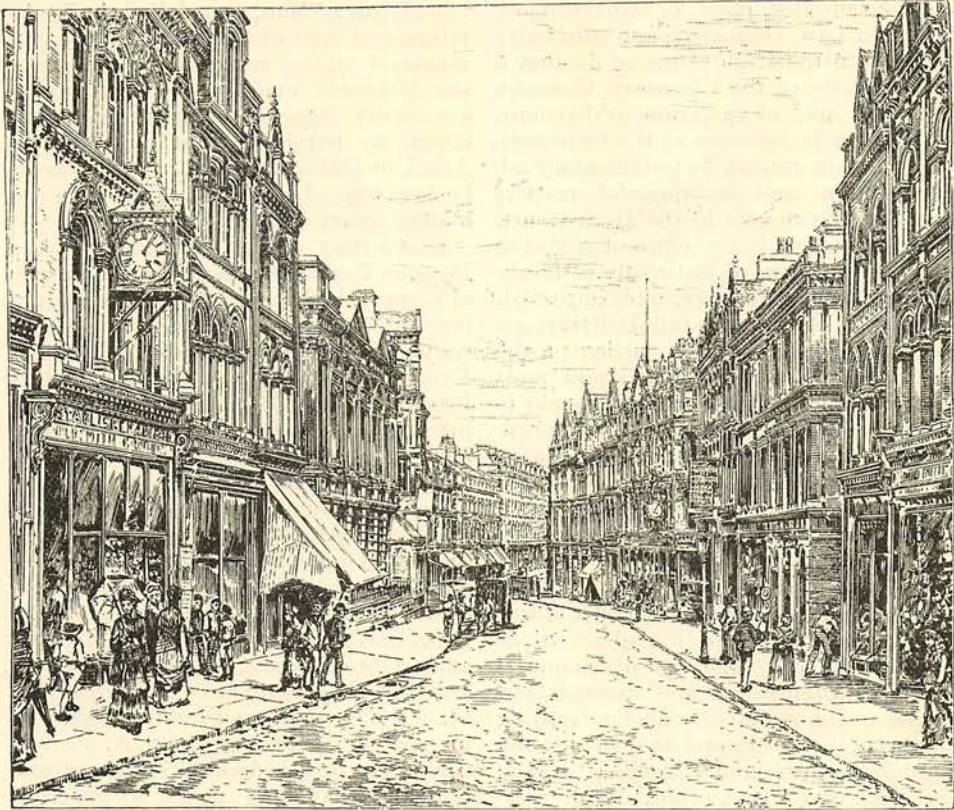
Acts of Tynwald, subjected to examination by law officers of the crown, become laws when they have received the royal assent, and go into operation at once when the fact is certified in writing by the Governor and the Speaker of the Keys. Formerly they did not take legal effect until promulgated from the ancient and famous Tynwald Mount, at St. John's, on the 5th of July—Tynwald Day—of each year, or on the 6th if the 5th happened to fall on Sunday. Special sessions of the Court may be held at the Tynwald Mount, but the annual one on Tynwald Day is that which all loyal Manx folk feel in patriotic duty bound to attend.

The Manx laws retain many of their

ancient peculiarities. The general tenure of land is the customary freehold. Its descent follows the same rules as that of the English crown. The right of primogeniture extends to females in default of males in the direct line. Liberal provision is made for widows. By statute of the year 1777 landed proprietors cannot grant leases for more than twenty-one years without consent of the wife. Womanly honor is jealousy protected. In case of its violation the law is, or was, that "the Deemster shall give her" (a single woman) "a rope, a sword, and a ring," and that she "then shall have her choice to hang him with the rope, cut off his head with the sword, or marry him with the ring." The annals of this unique specimen of criminal jurisprudence do not specify the number of times this alternative choice has been exercised, or with what results.

Tynwald Day is a general insular festival. Cronk-y-Keillown, *i. e.*, St. John's Church Hill, or the Tynwald Hill, is about 200 yards from St. John's Church, near the centre of the island, and on the highroad between Douglas and Peel. Around it the Manx people have gathered since 1577 to hear the reading of the laws enacted by the Tynwald Court throughout the previous year. It is said to be formed of earth brought from the seventeen parishes, is 256 feet in circumference, and rises by four concentric circular platforms, each three feet higher than that below, to the level on which the dignitaries stand, while the First Deemster (successor to Druid priest and to the following officials, who, until the fifteenth century, judged according to the unwritten "breast laws," of which they were the depositaries), reads in English and then in Manx the titles and side notes of all the recent statutes. Newspapers give the details, and relieve the reader of what once was necessary labor. Seventeen ropes hold taut the canvas shelter from sun and rain, and are fastened to as many rings let into stones at the base of this primitive construction.

Bishop Wilson held this mount to have been the *forum judiciale*, or Hill of Justice. Cumming and other antiquarians regard the name Tynwald, written Tingualla in the *Chronicon Mannie*, as identical with the Thingwall of Iceland and the Thingvöllr of Denmark, and as derived from the Scandinavian *thing*, a



VICTORIA STREET, DOUGLAS.

court of justice or popular assembly, and *völlr*, a field or *vold*—a bank or rampart. The courts of the ancient Scandinavians were held in the open air, generally on natural hills or artificial tumuli. The Tynwald Court is the only one adhering to the primitive custom. It is said to have been established in the tenth century by the Icelandic Viking Orry, who conquered Man and the Isles, introduced the legislative House of Keys, divided the island into sheadings or shires, and caused the laws to be committed to writing.

The ceremonies on Tynwald Day begin at 11 A.M., when Governor, Legislature, and citizen magnates celebrate divine worship in the Church of St. John's. This concluded, a procession is formed, headed by three policemen abreast. The six coroners, captains of the seventeen parishes, clergy in file, four high bailiffs, members of the House of Keys, Council, sword-bearer judiciously carrying his Excellen-

cy's sword, point upward, the Lieutenant-Governor, his chaplain, and the surgeon to the household, and lastly the chief constables, follow in due and solemn order, through lines of soldiers with presented arms, to their allotted stations. The Glanfaba, who is chief coroner of the island, now "fences" the assembly by warning the multitudinous and joyous spectators against any disturbance.

After the reading of the laws the procession returns to the church, and attests by signature of the Court members present the fact of promulgation. The business accounts of King William's College, the lunatic asylum, and the Highroad Fund are next audited, elections of public committees effected, and the asylum rate fixed. All transactions are usually completed by 1 or 2 P.M.

Judicial organization is of the same quality as that of the Legislature or administration. Simplified by the Judicature Act of 1883, which merged the Chan-

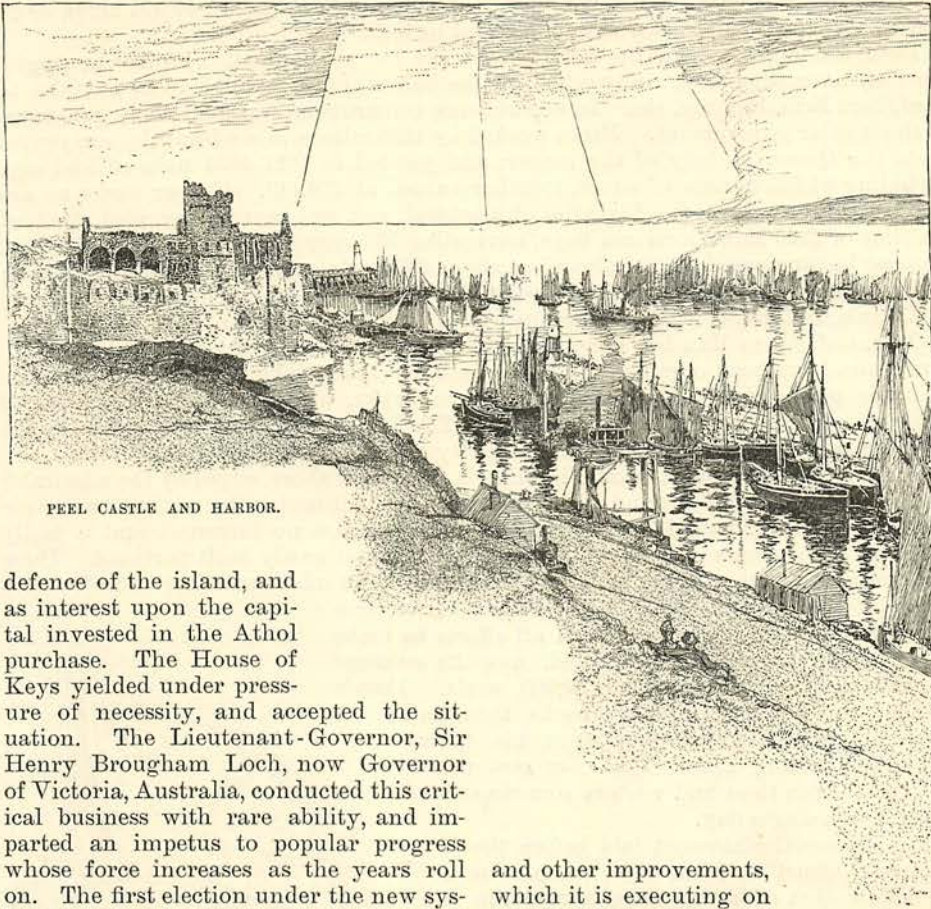
cery, Exchequer, Staff of Government, Common Law, Deemsters, and Admiralty courts into the High Court of Justice, it now consists of the Chancery, Common Law, and Staff of Government divisions. In 1884 the jurisdiction of the ecclesiastical courts in respect to testamentary administration and matrimonial matters was also transferred to the High Court. The Rolls Office is the office of record to the court. Means of justice are certainly abundant, cheap, speedy, and impartial. The Court of General Jail Delivery, ecclesiastical, high bailiff's, justice of the peace, and licensing courts, from most of which appeals may be taken, ought to insure domestic tranquillity, and especially when assisted by thirty-nine gentlemen in the commission of the peace, appointed under the great seal of England, a law society, thirty-nine advocates in practice, twenty notaries public, fifty policemen at a yearly cost of £3500, a detachment of regular troops, and the sufficiently disciplined militia of seventeen parishes, to say nothing of manorial courts with seneschals and stewards, sergeants and parochial officials for "settling quests" of the Lord's and abbey lands and baronies of the island. They do, in fact, succeed so well that criminals are marvellously few. It costs less than £200 a year to board the prisoners, and most of that sum is paid by their enforced labor.

Education insures progress. Every town and parish must have a school committee, which reports to the Board of Education appointed by the Tynwald Court. Imperial inspectors examine schools and teachers, and on their certificates grants in aid are made from the Manx revenue. The total expenditure on account of public education in national, board, denominational, and industrial schools in the last fiscal year was £6045. Religious, moral, conservative, the Manx have always been. Private and public enterprise adds cultured scientific intelligence.

History faithfully records the origin and modifications of the home rule government as it exists in the many-named isle of Druid, Scot, Welsh, Norse, and English rulers. Forty Runic crosses remind of the fierce sea-kings, of whom Orry, in some shape or other, established the House of Keys. The "three legs" device, which is the national emblem, is the work of Alexander of Scotland, in memory of his conquest of 1270. The Stan-

leys, Lords of Man, remodelled the Legislature and laws of the island. Royalty, manorial rights, revenues, patronage of the bishopric, and fourteen advowsons eventually became the property of the crown by purchase from the Duke of Athol, in 1765 and 1829, at a cost of nearly £490,000. Legislative institutions remained intact until 1865.

Discourtesy of the Keys toward the Douglas Town Commissioners, whom one of them styled "mere tradesmen," in 1864 brought on the political agitation which resulted in the conversion of the House of Keys into a popularly elective body. James Brown, editor and proprietor of the leading journal, *The Isle of Man Times*, commented in severe terms on their action, and was by them adjudged to be guilty of contempt of the House and breach of its privileges. Refusing to purge himself thereof by apology, and thoroughly vindicating his own procedure, he was sentenced to six months' imprisonment in the jail of Castle Rushen, and was there placed among the criminals. The legality of his arrest and imprisonment was speedily tested. The eloquent and forcible letters of his son and successor, John A. Brown, roused the British press to indignant protest, and the Manx public to generous and practical sympathy. The political prisoner was transformed into the popular hero. He and his associates proved that the House of Keys was anciently an elective body, and that its extant self-elective constitution was an innovation and a usurpation of the public rights. The Court of Queen's Bench decided against the Keys, who yielded to the inevitable, and ungraciously released their victim. Mr. Brown received a splendid ovation on his return to Douglas, and in his following suit against the twenty delinquent Keys for damages was awarded the sum of £518 and costs. The people now took up the fight, and petitioned the House of Commons to restore the ancient representative constitution of the Keys. Local circumstances strengthened their demand, and in 1866 the imperial government consented to self-taxation by the island, and the expenditure of the revenue upon necessary harbor works and other improvements, after deducting the cost of collection and insular administration, together with a fixed sum of £10,000 to be annually paid into the imperial exchequer as a return for the military and naval



PEEL CASTLE AND HARBOR.

defence of the island, and as interest upon the capital invested in the Athol purchase. The House of Keys yielded under pressure of necessity, and accepted the situation. The Lieutenant-Governor, Sir Henry Brougham Loch, now Governor of Victoria, Australia, conducted this critical business with rare ability, and imparted an impetus to popular progress whose force increases as the years roll on. The first election under the new system was held in April, 1867, and resulted in the return of a conservative majority. Since that epoch political action has been vigorously directed to legal, ecclesiastical, and municipal reforms, and has resulted in the magnificent development of internal resources.

With the working of home rule, as it exists in the Isle of Man, the citizens have just cause to be tolerably content. The ordinary revenue for the fiscal year ending March 31, 1886, was £55,552. The expenditure was £50,308, including £2984 for cost of collection, £16,049 civil list, £2543 harbors, £224 volunteers, £849 public buildings, £6045 education. Interest and sinking fund on debt, etc., £10,375; imperial exchequer, £10,000; and lunatic asylum, £875. The insular government at that date was creditor for £23,000, being the balance of loans advanced from revenue. It also had a surplus of £12,345 at its disposal, and on which, as customary, it could borrow money for harbor

and other improvements, which it is executing on what is relatively a grand scale at several different points.

More interesting for many reasons than the Lilliputian republic of San Marino in Italy, or the smaller republic of Andorra in the Pyrenees, the old Norse *Mann* is deservedly a favorite with its own people, and with the variously multitudinous British public. Its death rate in 1880 was 21.9 per 1000; its birth rate, 28.6. Its religious condition is sufficiently exalted to delight the heart of St. Patrick, by whom it was converted to Christianity. The Established Church of England is firmly grounded in the commonwealth, and enjoys some degree of independence, being exempt from the penalty of *præmunire*. Methodism overshadows it, and flourishes luxuriantly. Other denominations are also represented. Religion is reality to the Manx. Ethics are singularly sensible, and morals superior and severe. Agriculture, by means of English and Scotch farmers,

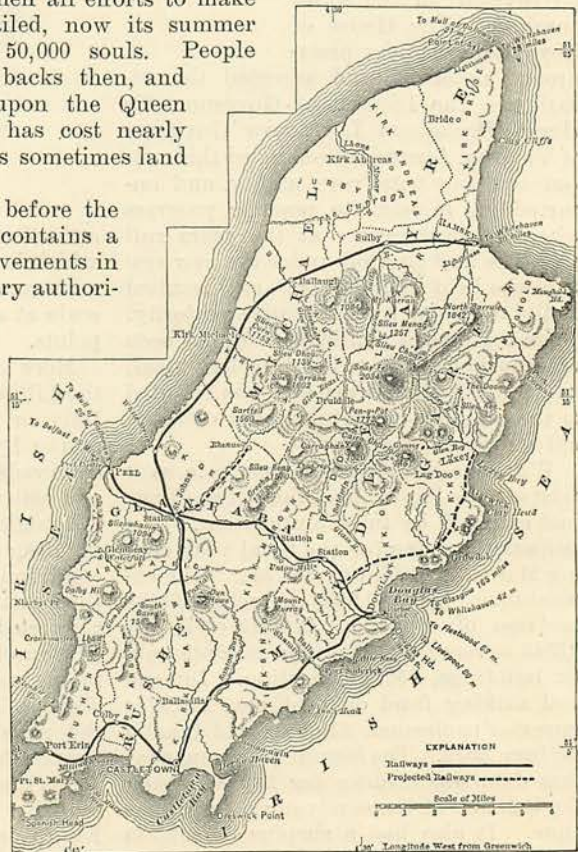
who use sea-weed and lime as manures, is exceedingly creditable: 97,494 acres, or 67 per cent. of the insular area, were cultivated in 1882.

Than the highways of the island none are more excellent. Railroads, single-tracked, narrow-gauged, and worked on the baton system, extend from Douglas to Peel, Port Erin, Ramsey, etc. In one instance construction was assisted by guarantee of the insular government. Mines worked by 1258 miners in six localities are rented from the Queen as lady of the manor, and yielded in 1881 5675 tons of lead ore, including 84,865 ounces of silver, together valued at £76,513. Copper and zinc are also profitably extracted. Fisheries of mackerel, cod, and herring occupied much of the time of 2293 Manx men and boys, navigating 330 vessels, in 1881. Since then the number has increased. Peel alone has about 200 boats, manned by nearly 2000 men and boys, and about £100,000 employed in the herring fishery. The mackerel fishery at Kinsale, Ireland, is mainly prosecuted by about 2000 Manx men.

Of manufactures Man has none whereof to boast. Nearly fifty "limited liability" companies have been organized and gone into operation since 1886. Money is abundant for prosecuting all enterprises. Three banks, with an aggregate capital of £480,000, provide enough for current uses. The Isle of Man Bank for Savings by the magnitude of its deposits evidences the thrifty characteristics of the depositors.

Douglas Bay, with its romantic headlands, crescentic shore, edged by the admirable Loch Parade and background of near houses and distant hills, reminds some observers of the unrivalled Bay of Naples. Douglas has no lazzaroni, and is justly proud of its promenade, breakwater, landing pier, and newly built portions. These it largely attributes to home rule. In 1846 it had 8000 inhabitants, now 18,000; then a ratable annual valuation of less than £40,000, now of more than twice that sum; then all efforts to make it a popular watering-place failed, now its summer population is from 45,000 to 50,000 souls. People disliked to land on boatmen's backs then, and now rejoice to step at once upon the Queen Victoria Landing Pier. This has cost nearly £100,000. Ten thousand visitors sometimes land upon it in a single day.

The financial statement laid before the Tynwald Court in May, 1886, contains a formidable list of harbor improvements in the several towns. The necessary authority to undertake these, if obtained through committees of the House of Commons and the passage of suitable bills, would have cost in each instance several thousand dollars at least, and this after long and tedious delays. Now the requisite powers are readily obtained from the Manx Legislature at a cost of less than five hundred. Taxes for all purposes are less than £1 on every £1000 of real and personal property, and in point of magnitude are in startling contrast with those of Great Britain and Ireland. Those in towns are regulated by public improvements. General rates, for education, etc., do not exceed sevenpence per pound.



THE ISLE OF MAN.